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May 7, 2014

**BY ECF**

Hon. Denise L. Cote  
United States District Judge  
United States Courthouse  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

Re: United States v. Maxim Chukharev  
13 Cr. 368 (DLC)

Dear Judge Cote:

I understand that the Court intends to set a trial date at our upcoming conference on May 9, 2014. As I have not yet received the discovery in this case, I am writing to respectfully request that the Court postpone setting a trial date at this time.

I have been informed by the government that the digital discovery in this case is voluminous, and that there are in excess of 30 terabytes of materials. To put the enormity of these materials in perspective, one terabyte is roughly the equivalent of 28,000 banker's boxes, and the entire catalogue of the Library of Congress would fit on two terabytes. Without any opportunity to review the discovery, I am not in a position to analyze the case against my client or develop a sense of how much time it will take to prepare for trial. I do not know the file formats of the digital files, whether additional expertise or software is necessary to open them, or how difficult it will be to search, much less understand, the materials provided.

I have been further informed by the government that I can expect to receive the discovery by May 28. Given the date at which discovery will be made available, I respectfully request that the Court set our next conference for the week of July 14, and postpone setting a trial date until that time. This will allow me approximately six weeks to review the materials provided. I have spoken with the government and to counsel for Mr. Marmilev and Mr. El Amine, and there are no objections to this request.

Thank you for your kind consideration of this request.

Respectfully,



Sarah Kunstler  
Attorney for Maxim Chukharev